

REMARKS

Claims 1-12 are all the claims pending in the application. Reconsideration and allowance of all the claims are respectfully requested in view of the following.

Claim Rejections - 35 U.S.C. § 103

The Examiner rejected claims 1-12 under §103(a) as being unpatentable over US Patent 5,860,747 to Wan et al. (hereinafter Wan) in view of US Patent 5,630,668 to Ikezawa et al. (hereinafter Ikezawa). Applicants respectfully traverse this rejection because the references fail to teach or suggest all of the elements as set forth and arranged in the claims, and because the Examiner's interpretation of Wan is unreasonable.

First, for the reasons set forth in the Response filed November 17, 2005, the references fail to teach or suggest all of the elements as set forth and arranged in the claims.

By way of further explanation, although Ikezawa discloses an embodiment using a manganese phosphate film in column 12, lines 27-28, this embodiment is explained as an alternative to an embodiment in which surface roughness is reduced (see column 11, lines 62-63). That is, in Ikezawa, when the manganese phosphate is applied, an embodiment to reduce the surface roughness is not applied. In other words, Ikezawa disclose using the manganese phosphate film separately from using a surface of which surface roughness is low. Accordingly, one of ordinary skill in the art following the teachings of Ikezawa would not have been motivated to use both a manganese phosphate film and a reduced surface roughness, as claimed.

Second, the Examiner's interpretation of Wan is unreasonable. Specifically, the Examiner asserts that the inner and outer races of the bearing are part of the cage pocket.¹ However, this is a distorted interpretation of a cage pocket, and is completely contradictory to the manner in which a cage pocket would be understood by one of ordinary skill in the art.

¹ February 6, 2006 Office Action at page 3, item 3, 2nd paragraph.

Instead, the term “cage” means a retainer which retains rolling elements, and does not include inner or outer race as asserted by the Examiner. Furthermore in Wan itself, column 5, lines 50-55, he explains that reference 7 in Fig. 6 denotes cage, and references 11 and 13 denote parts of a cage pocket. Separately, Wan describes the inner our outer race as denoted by references 5 and 7 respectively. That is, the inner our outer races are not described as part of the cage pocket.

Thus, Wan does not teach or suggest “at least a first one of the inner ring race, the outer ring race and the rolling surface, comprises a first portion with a formed film made of a manganese phosphate” as set forth in clam 1. Similarly, Wan fails to teach or suggest “at least one of the inner ring race, the outer ring race, and the rolling surface, comprises a first portion which is comprising a smoothed formed film made of a manganese phosphate”, as set forth in claim 6. And Ikezawa does not cure these deficiencies in Wan.

Moreover, in fact, Wan actually teaches away from the use of a manganese phosphate film. Specifically, Wan describes that such a manganese phosphate coating is “**not** satisfactory for several reasons.”² Instead, Wan’s invention resides in the use of a disulphide or diselenide of a Group V or VII transition metal instead of a manganese phosphate film.³ Although Group V includes manganese, a diselenide or disulphide is not the same as a phosphate.

Accordingly, the references fail to teach or suggest a manganese phosphate film as set forth and arranged in the claims. Therefore, each one of claims 1 and 6 has unobviousness over Wan in view of Ikezawa. Likewise, dependent claims 2-5 and 7-12 are not rendered obvious by Wan and Ikezawa.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

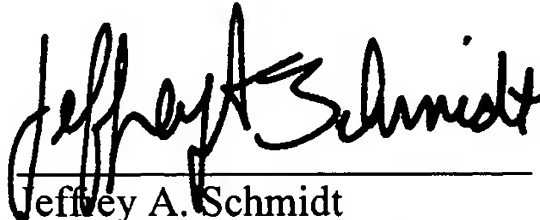
² Wan at col. 1, lines 23-41 (emphasis added).

³ Wan at col. 1, lines 59-67.

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


Jeffrey A. Schmidt
Registration No. 41,574

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: May 8, 2006